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Paper No. 7

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OFFICE OF PETITIONS

In re Application of
Jeremy Johnson
Application No. 10/083,783
Filed: February 25, 2002
Title: AUTOMATIC BALL MARK RETRIEVAL
SYSTEM (ACCULINX)

DECISION ON RENEWED PETITION

This is a decision on the renewed petition filed on August 26, 2004 under 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers (notice), mailed March 28, 2002, which indicated that substitute drawings were required and set a shortened statutory period for reply of two (2) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on May 29, 2002. A Notice of Abandonment was mailed January 26, 2004.

The original petition was received on March 24, 2004, and was dismissed via the mailing of a decision on July 21, 2004, for failure to sign the petition as required by MPEP §502.02.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met his burden of establishing that the holding of abandonment should be withdrawn.

Accordingly, the petition under 37 C.F.R. §1.181(a) is GRANTED. The holding of abandonment is WITHDRAWN.

The application file is being forwarded to Technology Center 3700 for further processing, and for re-mailing of the notice of March 28, 2002.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.

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